

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

20,698

IN RE:	}	
	}	
MJK Clearing, Inc.,	}	Adv. Proc. No. 01-4257
	}	
Debtor.	}	

James P. Stephenson, in his	}	
capacity as Trustee for the	}	
Estate of MJK Clearing, Inc.,	}	Adv. Proc. No. 04-4165
	}	
Plaintiff,	}	
	}	
v.	}	
	}	
Kyla Fant,	}	
	}	
Defendant.	}	

NOTICE OF HEARING

TO: The Trustee and other entities specified in Local Rule 9013-3.

1. Defendant Kyla Fant has moved the Court for the relief requested in the attached Defendant's Motion to Dismiss, Transfer, or Abstain and gives notice of hearing.

2. The Court will hold a hearing on this motion **at 2:30 P.M. on October 20, 2004**, in Courtroom No. 8, at the United States Courthouse, at 300 South Fourth Street, in Minneapolis, Minnesota.

3. Any response to this motion must be filed and delivered not later than **October 15, 2004**, which is three days before the time set for the hearing (excluding Saturdays, Sundays, and holidays), or filed and served by mail not later than **October 11, 2004**, which is seven days before the time set for the hearing (excluding Saturdays, Sundays and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This motion arises under 28 U.S.C. §§1334, 1409 and 1412. This motion is filed under Fed. R. Bankr. P. 9014.

Dated: Oct. 6, 2004

Signed: _____/s/_____
Charles R. Johanson, III
Attorney for Defendant

OF COUNSEL:

ENGEL, HAIRSTON & JOHANSON, P.C.
P.O. Box 11405
Birmingham, AL 35202
(205) 328-4600

Verification. I, Charles R. Johanson, III, attorney for the moving party named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on Oct. 6, 2004

Signed: _____/s/_____
Charles R. Johanson, III

D. Charles MacDonald
Gretchen J. August
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